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East Timor: reports of torture in rural areas

East Timorese detained in outlying district military commands may be subjected to torture and ill-treatment by Indonesian military personnel, according to new reports received by AI.

Maintained

The Indonesian Government has reportedly maintained that all political prisoners in East Timor are being held in the former Portuguese prison in Dili, the Comarca, and that all either have been tried or are scheduled for trial on charges of conspiracy to commit rebellion. There are indications, however, that East Timorese political prisoners are also being detained by the military outside Dili.

AI has received reports, for example, that in early May 1985, six people from Lautem District in the eastern part of East Timor were arrested on suspicion of having links to the *Frente Revolucionaria de Timor Leste Independente* (Fretilin), the armed resistance movement which has been fighting against the Indonesian military in East Timor since the Indonesian invasion of 1975. The six – Carlos Jose Marques, a teacher; Armindo Nunes, Amelio Nunes and Agusto Dos Santos, junior secondary school students; Cristavao Da Costa, a neighbourhood head; and Cornelio Amaral – were reportedly taken from the village of Irifalai to Lospalos, the district capital, and there tortured by Indonesian soldiers.

People

Five other people from the Lautem District, which has reportedly been the major area of clashes between Fretilin forces and Indonesian troops since mid-1985, were also arrested in May. Carmelinda Da Silva, 22, a teacher at the Fuiloro mission; Gil Fernandes, of Lipolo; Lamberto, from Funu; Armindo Ribeiro, from Berekik; and Mariana Marques, from Moapitine, were all said to have been tortured by the Indonesian military during interrogation in Lospalos.

AI has urged the Indonesian Government to investigate these reports, and if they are found to be accurate, to bring those responsible to justice.

In addition to these reports there are other indications that East Timorese are being detained by Indonesian soldiers outside Dili. Most of the prisoners tried in Dili come from outside the capital city. Since May 1985, for example, those tried include three people from Lospalos, five from Same, eight from Manatuto, and 14 from Viqueque. It is not known how long they were held prior to transfer to Dili or under what conditions.

An article in the Indonesian daily newspaper, *Sinar Harapan,* of 29 October 1985 noted that local police and prosecutors in East Timor often have to execute justice "on the spot" because of the time and expense needed to send suspects to East Timor's only court of first instance in Dili.

AI is concerned about the well-being of people detained outside Dili. In East Timor, to the organization's knowledge, there are no lawyers available outside Dili, and regular visits by international organizations are not made to district military commands. There thus may be insufficient safeguards against torture. AI has urged the Indonesian Government to clarify that East Timorese in districts outside Dili are subject to the provisions of the Indonesian Criminal Procedure Code and that, if arrested, they are presented with an official warrant, and their families are immediately informed of their arrest and place of detention.

Urged

AI has also urged the Indonesian Government to ensure that all prisoners in East Timor, wherever detained and for whatever period, are treated in accordance with the United Nations Standard Rules for the Treatment of Prisoners.

Prisoner News

AI learned in December 1985 of the release of 348 prisoners under adoption or investigation; it took up 257 cases.

Iraq: "there is no torture" says government

On 25 November 1985 AI received a letter from the Iraqi Government containing the government's comments on AI's report, *Torture in Iraq 1982-1984,* published in April 1985.

The report lists 30 different methods of torture said to be used in Iraq and contains extracts from five selected testimonies alleging torture, two of them supported by medical evidence.

The letter stated that the allegations contained in the five cases were without foundation. In the two cases where torture allegations were supported by the findings of medical examinations, the government said that the victims, Neji Bennour and Robert Spurling, "had been arrested in accordance with regulations [and] were not subjected to any form of torture during their detention".

The allegations contained in the other three cases were described as "a figment of the imagination and rely on mere allegations biased against Iraq. We regret that your organisation bases its findings on these allegations before verifying them. We take this opportunity to confirm what we have demonstrated before, that there is no torture in Iraq."

The letter further stated that AI's recommendations for the prevention of torture "are being applied in Iraq on both legislative and practical levels. There is administrative and judicial supervision responsible for ensuring that these are properly implemented."

However AI is seeking further clarification of the implementation of its recommendations and on how safeguards against torture are supervised. It remains concerned at the government's denial of the use of torture even in cases where allegations were supported by medical evidence and still believes that the legal prohibition on torture in Iraq's constitution continues to be disregarded in practice.

AI has received reports that at least 300 people, many of them Kurds, were killed in cities in northern Iraq in the second half of October 1985. There are fears that some of these may have been extrajudicial executions – political killings by the authorities. Hundreds of people are reported to have been arrested in the same period, including civilians, students, army deserters and draft resisters and members of the *Pesh Merga* forces (armed Kurdish fighters) and their families.

Additional reports alleged that in November 1985, 60 prisoners were executed in Abu Ghraib Prison in Baghdad and at least as many executed in Mosul Prison in northern Iraq. Army deserters and political prisoners, including members of the banned Kurdistan Democratic Party and the Kurdistan Socialist Party – Iraq, were said to be among the victims. AI has called upon the Iraqi government, to among other things, carry out a thorough investigation into the reports and to make public its findings.